



State of Utah

Department of
Natural Resources

ROBERT L. MORGAN
Executive Director

Division of
Oil, Gas & Mining

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

September 15, 2004

Mr. Robert Clark
1758 South 900 East
Salt Lake City, Utah 84105

Subject: Maintenance Needs, Robert L. Clark, Clark #1/Emeryide Mine,
S/015/053, Emery County, Utah

Dear Mr. Clark:

On July 2, 2004, I inspected the referenced mine site, and a copy of the inspection report is enclosed. The report notes a few maintenance items dealing with cleanup and with drainage and sediment control.

I am concerned about some large sandstone blocks that appear to be on the verge of falling. This issue was first noted during an inspection by Bureau of Land Management personnel on May 9, 2002. A memo to the Price Field Office Manager said, "The workings are unsafe because the operator has undermined the cliff face. One of the portals has been covered by the cliff face slumping down since the workings were inadequately supported." While the safety of miners is primarily the jurisdiction of the Mine Safety and Health Administration (MSHA), the Division's rules require that you minimize hazards to the public safety and welfare during mining operations.

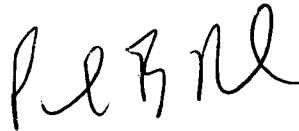
The mining operations have created a situation where the cliff is less stable than it would otherwise be. At the adjacent Miller Rock Mine operated by Bret Clark, a large piece of sandstone recently fell on to the pad in front of the portals. At your mine, the rock could fall onto the Miller Canyon Road potentially injuring or killing someone.

You need to evaluate this situation very carefully and consider options for minimizing danger to the public. I suggest that you hire an engineering firm that could make professional recommendations about the risk of a rock fall and give options for correcting the hazard.

Robert L. Clark
Page 2 of 2
S/015/053
September 15, 2004

Within two weeks of receipt of this letter, please call or write to let me know what actions you plan to take. I can be reached at the above address, by telephone at 801-538-5261, or by electronic mail at paulbaker@utah.gov. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. B. Baker', written in a cursive style.

Paul B. Baker
Senior Reclamation Biologist
Minerals Regulatory Program

PBB:jb
Enclosure: Inspection report with photo attachment
cc: Dean Nyffeler, Price BLM
O:\M015-Emery\S0150053-RobertClark\final\ltr-09152004.doc